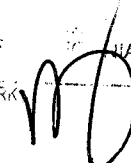


Paul A. Thomas # A2-2563  
CELL # 220 BLDG-B5  
CSP-SAC P.O. BOX 290001  
Represg, Cal. Fornia 95671

**FILED**

MAY 15 2023

CLERK OF COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY  DEPUTY CLERK

united states District court  
for the Eastern District of CALIFORNIA

PAUL THOMAS  
Plaintiff  
V.  
WARE, et al.,  
Defendants

Case # 2:22-CV-00177-TLW-FB  
PLAINTIFFS SUPPLEMENTAL  
RESPONSES TO DEFENDANTS  
DISCOVERY REQUESTS

Plaintiff Paul Thomas hereby submits the following documents that were requested in the defendants RFP, set One. I have no other documents pertaining to this discovery Request, those documents are:

1. Incident Report Package Incident LOG number: 000000000025226  
Pages 1-33, 2. Proof of Service

I Have read the above statements and declare under the penalty of perjury of the laws of the states of california that the foregoing is true and correct

Executed this 10<sup>th</sup> day of May, 2023 at  
California State Prison - Sacramento, Represa, California  
(Signature) Paul Thomas

**INCIDENT REPORT 25226.**

**Subject: BATTERY ON A PEACE OFFICER.**

*The following photographs were taken by Officer J. Avila:*

*on 07/18/21*

**Photo 003**



**Photo 004**

**INCIDENT REPORT 25226.**

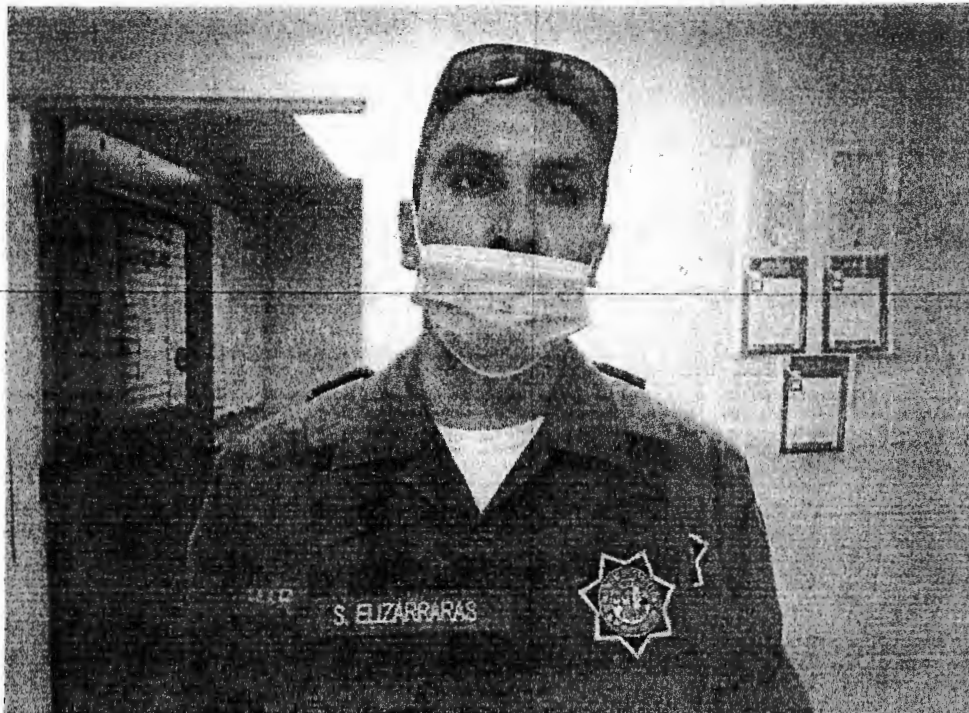
**Subject: BATTERY ON A PEACE OFFICER.**

*The following photographs were taken by Officer J. Avila on 07/18/21*

**Photo 001**



**Photo 002**



STATE OF CALIFORNIA  
**MEDICAL REPORT OF INJURY  
OR UNUSUAL OCCURRENCE**  
CDCR 7219 (Rev. 01/18)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

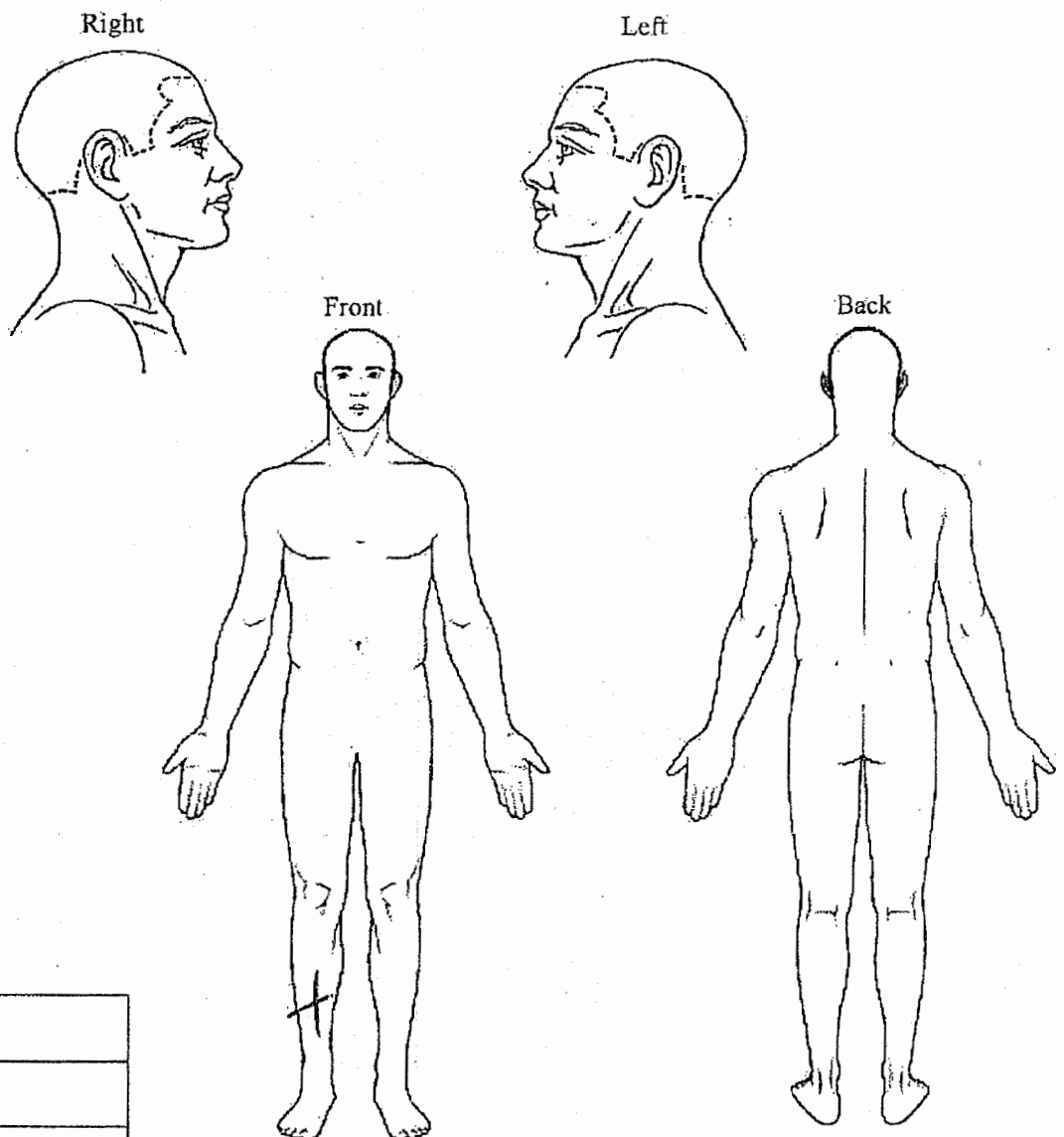
Page 1 of 2

NAME OF INSTITUTION <b>CSP-SAC</b>		LOCATION OF EVALUATION <b>Staffing Office</b>		DATE <b>7/18/2021</b>	
REASON FOR REPORT <input type="checkbox"/> ALLEGATION <input type="checkbox"/> ON THE JOB INJURY <input type="checkbox"/> USE OF FORCE <input checked="" type="checkbox"/> INJURY <input type="checkbox"/> OTM RETURNS <input checked="" type="checkbox"/> UNUSUAL OCCURRENCE <input type="checkbox"/> PRE AD/SEG ADMISSION <input type="checkbox"/> R&R <input type="checkbox"/> OTHER					
NAME LAST <b>AVILA</b> FIRST <b>J</b>		CDCR NUMBER <b>Staff</b>		VISITOR ID # (SOMS)	
PLACE OF OCCURRENCE <b>B1</b>		DATE OF OCCURRENCE <b>7/18/2021</b>		TIME OF OCCURRENCE <b>1700</b>	
		TIME SEEN <b>1755</b>		PHYSICIAN NOTIFIED TIME <b>NA</b>	

BRIEF STATEMENT IN SUBJECT'S WORDS OF THE CIRCUMSTANCES OF THE INJURY OR UNUSUAL OCCURRENCE

"I was kicked by the inmate"

INJURIES FOUND?	YES	NO
Abrasion/Scratch		1
Active Bleeding		2
Broken Bone		3
Bruise/Discolored Area		4
Burn		5
Dislocation		6
Dried Blood		7
Fresh Tattoo		8
Cut/Laceration/Slash		9
Swollen Area		10
Pain		11
Protrusion		12
Puncture		13
Reddened Area		14
Skin Flap		15
Pre-Existing		16
Other		17
		18
Chemical Agent Exposure?	YES	NO
Chem. Agent Exposure Area		EX
Decontaminated w/ Water?	YES	NO / REFUSED
Decontaminated w/ Air?	YES	NO / REFUSED
Self-decontamination Instructions given?	YES	NO
Staff issued Exposure packet?	YES	NO
Q 15 min. check times		
Initial	1 <sup>st</sup> Check	
2 <sup>nd</sup> Check	Final	
TIME/DISPOSITION <b>1800</b>		



REPORT COMPLETED BY/TITLE (PRINT AND SIGN) <b>D Uchehgba Staff</b>	PERNR / INST. ID # <b>1</b>	ASSIGNMENT AREA <b>Staffing Office</b>
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CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 000000000025226  
ELECTRONIC DOCUMENT

PAGE: 33  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

DOCUMENT TYPE: Photograph  
TITLE: Officer Elizarraras Evidence Photos  
PREPARED BY STAFF MEMBER INVOLVED: D. Baker  
PAGE NUMBER: 1

(If document file type is supported, document will start on the next page)

STATE OF CALIFORNIA  
**MEDICAL REPORT OF INJURY  
OR UNUSUAL OCCURRENCE**  
CDCR 7219 (Rev. 01/18)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Page 1 of 2

NAME OF INSTITUTION <b>CSP-SAC</b>		LOCATION OF EVALUATION <b>B1 Rotunda</b>		DATE <b>07/18/2021</b>	
REASON FOR REPORT <input type="checkbox"/> ALLEGATION <input checked="" type="checkbox"/> ON-THE-JOB INJURY <input type="checkbox"/> USE OF FORCE <input type="checkbox"/> INJURY <input type="checkbox"/> OTM RETURNS					
<input type="checkbox"/> UNUSUAL OCCURRENCE <input type="checkbox"/> PRE AD/SEG ADMISSION <input type="checkbox"/> R&R <input checked="" type="checkbox"/> OTHER <b>Battery on PO</b>					
NAME LAST <b>ELIZARRARAS</b> FIRST <b>S.</b>		CDCR NUMBER <b>NA</b>		PERNR / INST. ID # <b>N/A</b>	
PLACE OF OCCURRENCE <b>Cell B1 Asstition 203</b>		DATE OF OCCURRENCE <b>07/18/2021</b>		TIME OF OCCURRENCE <b>1700</b>	
		TIME SEEN <b>1720</b>		RY NOTIFIED TIME <b>N/A</b>	
				PHYSICIAN NOTIFIED TIME <b>N/A</b>	

BRIEF STATEMENT IN SUBJECT'S WORDS OF THE CIRCUMSTANCES OF THE INJURY OR UNUSUAL OCCURRENCE

**"THOMAS HEABUTTED ME WHEN I WAS PULLING HIM OUT FOR A CELL SEARCH"**

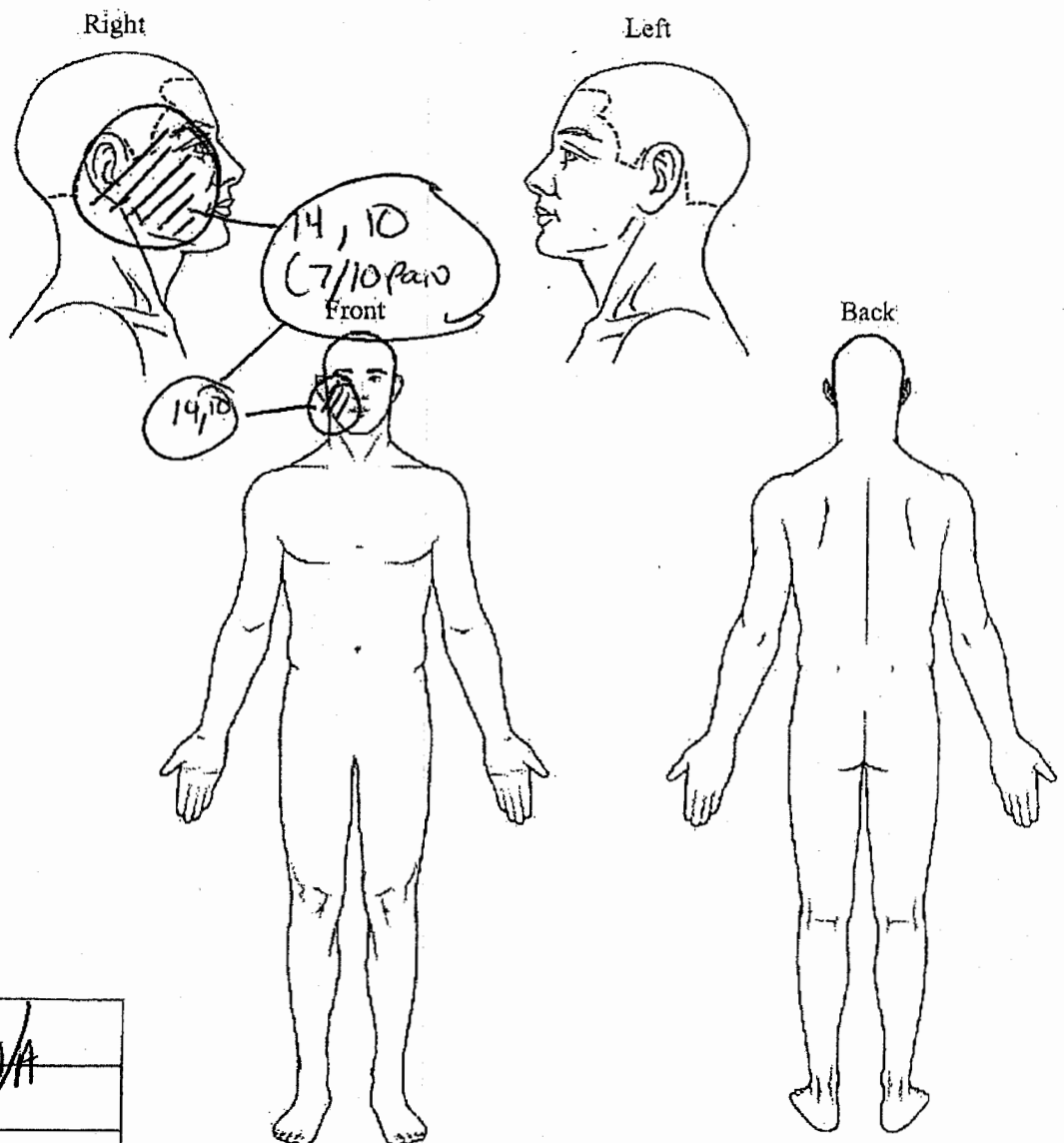
INJURIES FOUND? YES / NO	
Abrasion/Scratch	1
Active Bleeding	2
Broken Bone	3
Bruise/Discolored Area	4
Burn	5
Dislocation	6
Dried Blood	7
Fresh Tattoo	8
Cut/Laceration/Slash	9
Swollen Area	10
Pain	11
Protrusion	12
Puncture	13
Reddened Area	14
Skin Flap	15
Pre-Existing	16
Other	17
	18

Chemical Agent Exposure?	YES / <b>NO</b>
Chem. Agent Exposure Area	EX.
Decontaminated w/ Water?	YES / NO / REFUSED
Decontaminated w/ Air?	YES / NO / REFUSED <b>N/A</b>
Self-decontamination Instructions given?	YES / NO
Staff issued Exposure packet?	YES / NO

Initial	1 <sup>st</sup> Check
<b>N/A</b>	<b>N/A</b>
2 <sup>nd</sup> Check	Final
	<b>N/A</b>

TIME/DISPOSITION  
**RTW-1730**

REPORT COMPLETED BY/TITLE (PRINT AND SIGN) <b>E. Syge</b>	PERNR / INST. ID # <b>1</b>	RDOs <b>1</b>	ASSIGNMENT AREA <b>AS Meib</b>
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CDCR  
REPORT NO. ITR161 - 12

**INCIDENT REPORT PACKAGE**  
**INCIDENT LOG NUMBER: 00000000025226**  
**ELECTRONIC DOCUMENT**

**PAGE:** 32  
**PROCESSED:** 07/30/2021 12:01  
**REQUESTOR:** A. Huynh

**DOCUMENT TYPE:** Medical Report of Injury or Unusual Occurrence  
**TITLE:** Officer Avila 7219  
**PREPARED BY STAFF MEMBER INVOLVED:** D. Baker  
**PAGE NUMBER:** 1

(If document file type is supported, document will start on the next page)

STATE OF CALIFORNIA  
**MEDICAL REPORT OF INJURY  
OR UNUSUAL OCCURRENCE**  
CDCR 7219 (Rev. 01/18)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Page 1 of 2

NAME OF INSTITUTION <b>CSP-SAC</b>		LOCATION OF EVALUATION <b>B1 Rotunda / BLD 56 Room</b>		DATE <b>07/18/2022</b>	
REASON FOR REPORT <input type="checkbox"/> ALLEGATION <input type="checkbox"/> ON THE JOB INJURY <input checked="" type="checkbox"/> USE OF FORCE <input type="checkbox"/> INJURY <input type="checkbox"/> OTM RETURNS					
<input type="checkbox"/> UNUSUAL OCCURRENCE <input type="checkbox"/> PRE AD/SEG ADMISSION <input type="checkbox"/> R&R <input type="checkbox"/> OTHER					
NAME LAST <b>THOMAS</b> FIRST		CDCR NUMBER <b>A22563</b>		PERNR / INST. ID #	
VISITOR ID # (SOMS)					
PLACE OF OCCURRENCE <b>B1 A SECTION</b>		DATE OF OCCURRENCE <b>07/18/21</b>		TIME OF OCCURRENCE <b>1700</b>	
		TIME SEEN <b>1705</b>		RN NOTIFIED TIME <b>1715</b>	
				PHYSICIAN NOTIFIED TIME <b>N/A</b>	

BRIEF STATEMENT IN SUBJECT'S WORDS OF THE CIRCUMSTANCES OF THE INJURY OR UNUSUAL OCCURRENCE

**"EXCESSIVE FORCE"**

INJURIES FOUND?	YES / NO
Abrasion/Scratch	1
Active Bleeding	2
Broken Bone	3
Bruise/Discolored Area	4
Burn	5
Dislocation	6
Dried Blood	7
Fresh Tattoo	8
Cut/Laceration/Slash	9
Swollen Area	10
Pain	11
Protrusion	12
Puncture	13
Reddened Area	14
Skin Flap	15
Pre-Existing	16
Other	17
	18

Chemical Agent Exposure?	YES / NO
Chem. Agent Exposure Area	<b>BX</b>
Decontaminated w/ Water?	<b>N/A</b>
YES / NO / REFUSED	
Decontaminated w/ Air?	<b>N/A</b>
YES / NO / REFUSED	
Self-decontamination Instructions given?	<b>N/A</b>
Staff issued Exposure packet?	<b>YES / NO</b>

Q 15 min. check times

Initial	<b>N/A</b>	1 <sup>st</sup> Check	<b>N/A</b>
2 <sup>nd</sup> Check	<b>N/A</b>	Final	<b>N/A</b>

TIME/DISPOSITION  
**N/A (Medical treatment) 1715**

REPORT COMPLETED BY/TITLE (PRINT AND SIGN)

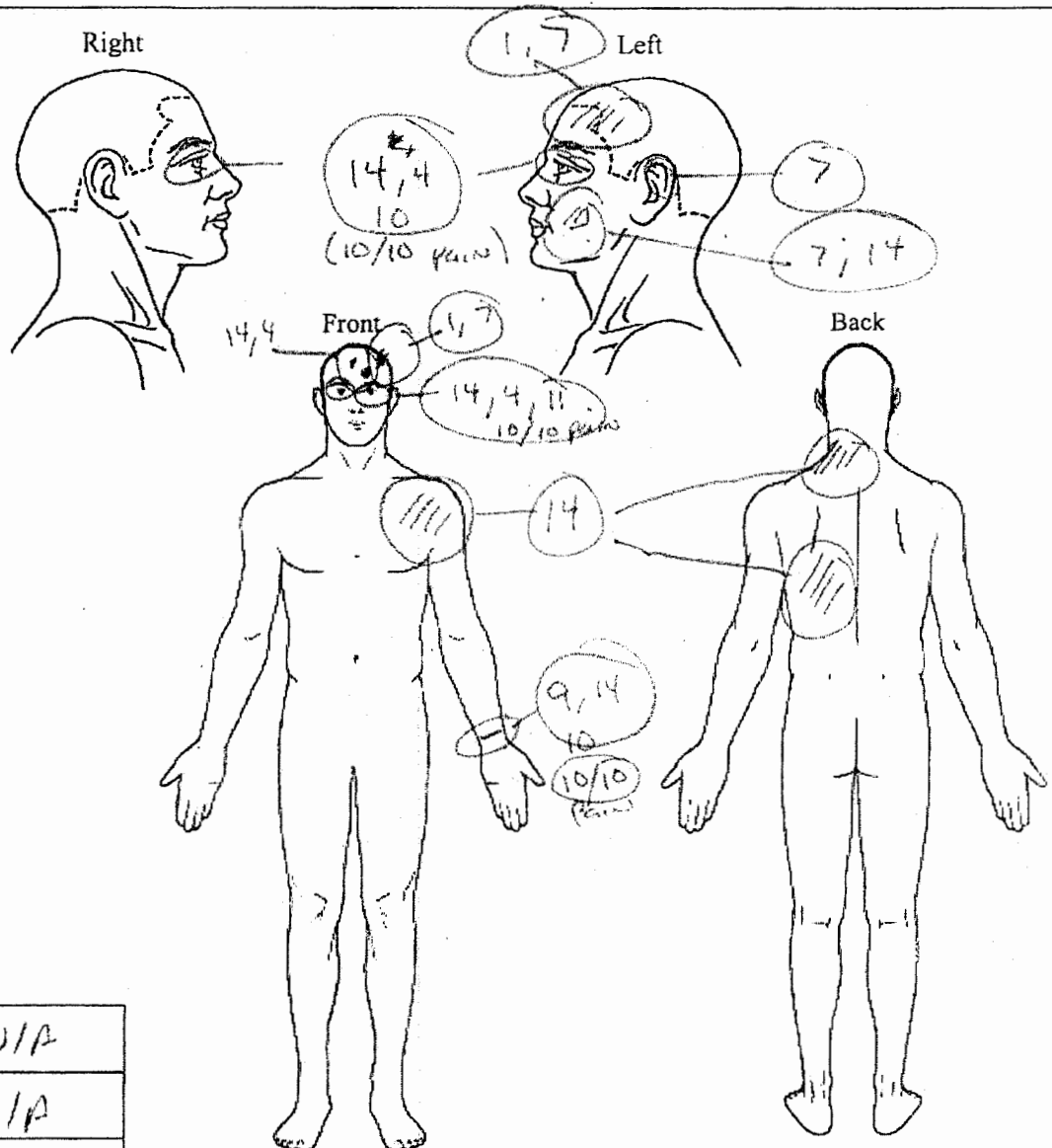
**S. Lopez**

PERNR / INST. ID #

RDOs

ASSIGNMENT AREA

**AS med**





CDCR  
REPORT NO. ITR161 - 12

**INCIDENT REPORT PACKAGE**  
**INCIDENT LOG NUMBER: 00000000025226**  
**ELECTRONIC DOCUMENT**

**PAGE:** 31  
**PROCESSED:** 07/30/2021 12:01  
**REQUESTOR:** A. Huynh

**DOCUMENT TYPE:** Medical Report of Injury or Unusual Occurrence  
**TITLE:** Officer Elizarraras 7219  
**PREPARED BY STAFF MEMBER INVOLVED:** D. Baker  
**PAGE NUMBER:** 1

(If document file type is supported, document will start on the next page)

**CDCR**  
**REPORT NO. ITR161 - 12**

**INCIDENT REPORT PACKAGE**  
**INCIDENT LOG NUMBER: 000000000025226**

**PAGE:** 30  
**PROCESSED:** 07/30/2021 12:01  
**REQUESTOR:** A. Huynh

**ELECTRONIC DOCUMENT**

**DOCUMENT TYPE:** Medical Report of Injury or Unusual Occurrence

**TITLE:** THOMAS 7219

**PREPARED BY STAFF MEMBER INVOLVED:** D. Baker

**PAGE NUMBER:** 1

**(If document file type is supported, document will start on the next page)**

ACTIONS TAKEN				
DATE/TIME	ACTION TYPE	STAFF NAME	REFERRED TO	ELAPSED DAYS
07/29/2021 19:38:53	Notification	Jones, G	Huynh, A	11
07/28/2021 13:24:10	Incident Package Reviewed by Second Level	Peterson, J	Jones, C	10
07/27/2021 16:32:12	Incident Package Reviewed by First Level	Konrad, A	Peterson, J	9
07/24/2021 19:46:36	Incident Commander Reviewed	Pierce, C	Konrad, A	6
07/24/2021 14:39:24	Returned to Reviewer	Harrington, D	Pierce, C	6
07/24/2021 07:57:34	Notification	Pierce, C		6
07/20/2021 17:18:58	Returned to Reviewer	Avila, J	Pierce, C	2
07/20/2021 17:14:50	Returned to Reviewer	Ware, J	Pierce, C	2
07/20/2021 17:07:46	Clarification Requested	Pierce, C	Chavez, D	2
07/20/2021 17:04:52	Clarification Requested	Pierce, C	Harrington, D	2
07/20/2021 17:03:25	Clarification Requested	Pierce, C	Ware, J	2
07/20/2021 16:49:10	Clarification Requested	Pierce, C	Avila, J	2
07/18/2021 17:00:00	Incident Package Initiated	Ware, J		0

STAFF NARRATIVE

STAFF NAME: Ware, J  
CREATED DATE: 07/18/2021

NARRATIVE TYPE: Initial Report  
CREATED TIME: 22:02:12

NARRATIVE

On Sunday, July 18, 2021, at approximately 1700 hours, while working as the B Facility Program Sergeant. I proceeded to 1 block to assist with cell searches for inmates, who were on hunger strike. As I was having a conversation with inmate FISHER (J42468) Cell 205 in regards to his hunger strike, I heard stop resisting to my left. I responded to the incident area, which was in front of cell 203 solely assigned to inmate THOMAS (AZ2563). As I reached the area, multiple officers were on the ground giving multiple orders to THOMAS to stop resisting. I am not able to identify the Officers or their hand placements on THOMAS due to my positioning behind the officers and their backs facing me and THOMAS on the ground below them. I observed THOMAS resisting by thrashing his body left to right and kicking his legs back and forth. I kneeled next to THOMAS' waist area on his left side. I ordered THOMAS to stop resisting and to place his right arm behind his back. THOMAS refused and continued to resist by moving his right arm and placing it underneath his chest area in order to prevent me from gaining control of his right arm. In order to gain compliance, effect custody and overcome THOMAS' resistance, I placed my left hand on the right side of THOMAS' ribs and applied downward pressure in order to aid in gaining control of his right wrist. Simultaneously, I utilized my right hand, grabbed THOMAS' right wrist and pulled his wrist towards myself. I also used my left leg and placed it over THOMAS' right leg in order to stop THOMAS from kicking his right leg, which aided in placing THOMAS' hand behind his back in order for Officer J. Avila to place handcuffs on THOMAS. Once THOMAS was in handcuffs and leg restraints were on, THOMAS was no longer resistive. I am not able to identify who placed the leg restraints on THOMAS due to my focus on THOMAS' waist area. Once responding staff arrived, I removed myself from the area and continued my conversation with FISHER about his hunger strike issues. This concludes my involvement from this incident.

J. Ware  
STAFF SIGNATURE

DATE: 07/18/2021

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/18/2021

REVIEWED BY STAFF: Baker, D  
REVIEWED TIME: 22:16:17

STAFF NAME: Ware, J  
CREATED DATE: 07/20/2021

NARRATIVE TYPE: Supplemental Report  
CREATED TIME: 17:14:50

NARRATIVE

1Q. When you were utilizing force to place THOMAS' hands behind his back did you witness any other force utilized due to THOMAS continuing his resistance? If so, please describe the resistance.

2A. I did not observe any other force due to my focus on THOMAS' and trying to place his wrist behind his back.

J. Ware  
STAFF SIGNATURE

DATE: 07/20/2021

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/20/2021

REVIEWED BY STAFF: Pierce, C  
REVIEWED TIME: 17:16:51

## STAFF NARRATIVE

**STAFF NAME:** Elizarraras, S  
**CREATED DATE:** 07/18/2021

**NARRATIVE TYPE:** Initial Report  
**CREATED TIME:** 22:58:51

## NARRATIVE

On Sunday, July 18, 2021, at approximately 1700 hours, I was in FB1 A Section upper tier. I was in front of cell 203, assigned solely to Inmate THOMAS (AZ-2563, FB1-203L). I informed THOMAS that he needed to step out of his cell so that I can conduct a cell search. THOMAS complied with the orders to exit his cell. I signaled to the Control Booth Officer to open cell 203. As the cell door opened I ordered THOMAS to back out to which he complied. As THOMAS exited the cell, he turned towards his left and lunged at me with his head, striking me on my left cheek. To stop the imminent threat, I used immediate force and grabbed THOMAS' left arm with my left hand, I grasped his left shoulder with my right hand, utilizing his momentum I pushed him down using my upper body weight into the prone position. Simultaneously, Officer J. Avila took control of THOMAS' right side and forced THOMAS to the ground. Due to the focus on THOMAS I was unable to see Officer Avila's hand placement on THOMAS.

Once on the ground, THOMAS continued to attempt to head butt me by swinging his head towards me while he was in the prone position. Multiple orders were given to stop resisting with negative results as he continued to resist by actively thrashing side to side and kicking his feet up in the air. To gain compliance with a lawful order, overcome resistance and effect custody, I grasped his left forearm with my right hand and attempted to pull his arm to the back, I placed my left hand on the left side of THOMAS' face and applied the minimal amount of downward pressure to stop him from trying to head-butt me again. Responded staff arrived and attempted to restrain THOMAS. Officer D. Draven was on the left side, Officer D. Chavez was on the right upper side, and Sergeant J. Ware was on the right side. Due to my focus on THOMAS I was unable to see if responding staff utilized force. Multiple orders were given to THOMAS to stop resisting with negative results as THOMAS continued to resist. THOMAS put both his hands underneath his body to prevent us from securing hand cuffs on him. Orders were given to THOMAS to relinquish his hands with negative results as THOMAS was still actively resisting and was refusing to put his hands behind his back. Officer Draven was attempting to pull THOMAS' left hand from underneath him, to gain compliance with a lawful order, overcome resistance and effect custody, I transitioned both my hands to THOMAS' left bicep and pulled THOMAS' left arm to his back. Simultaneously, Officer Draven pulled his left arm from underneath him. THOMAS was still actively trying to head-butt, I observed Officer Chavez place his left hand on the right side of THOMAS' face to prevent him from striking anyone. I heard someone shout "cuffs on", due to my positioning I was unable to see who secured handcuffs on THOMAS. Officer D. Harrington secured leg restraints on THOMAS. Once secured in restraints, THOMAS was no longer resisting, and this point I relinquished my grasp of THOMAS. Officer Avila and I assisted THOMAS to his feet, more responding staff arrived and I was relieved by Officer E. Cervantes.

I removed myself from the incident. I received a medical evaluation documenting my injuries. I reported to the B Facility Watch Office where Officer Avila took evidentiary photographs. This concludes my involvement.

S. Elizarraras

**DATE:** 07/18/2021

STAFF SIGNATURE

**BADGE #:**

**PERNR:**

**NARRATIVE REVIEWED:** Yes

**REVIEWED BY STAFF:** Baker, D

**REVIEWED DATE:** 07/18/2021

**REVIEWED TIME:** 23:06:10

CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 26  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

**STAFF NARRATIVE**

**STAFF NAME:** Avila, J.  
**CREATED DATE:** 07/20/2021

**NARRATIVE TYPE:** Supplemental Report  
**CREATED TIME:** 17:18:58

**NARRATIVE**

Q1. Please describe the resistance offered by THOMAS prior to you placing handcuffs on THOMAS.

A1. THOMAS was thrashing his body and legs in a side to side motion, while also pinning his arms underneath his body.

Q2. Prior to the placement of the handcuffs was any force being utilized? If so, please describe the force.

A2. Due to my position I did not see who was using force, but I observed unknown officer's hands on THOMAS's forearms holding his arms in place so I could secure the handcuffs.

J. Avila  
\_\_\_\_\_  
STAFF SIGNATURE

**DATE:** 07/20/2021

**BADGE #:**

**PERNR:**

**NARRATIVE REVIEWED:** Yes  
**REVIEWED DATE:** 07/20/2021

**REVIEWED BY STAFF:** Pierce, C  
**REVIEWED TIME:** 18:21:04

STAFF NARRATIVE

STAFF NAME: Avila, Jr  
CREATED DATE: 07/18/2021

NARRATIVE TYPE: Initial Report  
CREATED TIME: 21:54:10

NARRATIVE

On Sunday, July 18, 2021, at approximately 1700 hours, I was in FB1 on the upper tier assisting with cell searches. Officer S. Elizarraras and I approached cell 203, solely occupied by inmate THOMAS (AZ-2563, FB1-203L), upon arrival THOMAS was at his cell door. Officer Elizarraras and I established effective communication by speaking slow, clear, simple English to which THOMAS was receptive. We ordered him to submit to a cell search to which he complied. Officer Elizarraras signaled the control booth officer to open the cell door. Once fully open THOMAS backed out of the cell, then without warning turned to his left and head-butted Officer Elizarraras in his facial region. Due to my position I did not observe where the strike landed.

In order to Gain compliance with a lawful order, overcome resistance, Effect custody, and subdue an attacker, I utilized immediate physical force to stop the imminent threat towards my partner. I placed my left hand on THOMAS's right shoulder, and I placed my right hand on THOMAS's right forearm, utilizing THOMAS's momentum, force him down into the prone position. Once on the ground THOMAS was thrashing his body in a side to side motion and I attempted to gain control on THOMAS's lower legs. THOMAS utilized his right leg, in an upward kick, striking me on my right shin area. I immediately felt pain in my shin area and secured THOMAS's legs with both of my hands, not allowing him to move them anymore. Due to my position and focus on THOMAS's legs, I didn't observe any other responding staff utilize any force or where their hand place placement was on THOMAS. I placed hand cuffs on THOMAS and Officer D. Harrington put leg restraints on. Once all restraints were on, THOMAS was not actively resisting and complying with orders. Officer Elizarraras and I assisted THOMAS to his feet and I retrieved a safety smock. I performed an undodthed body search, yielding negatives results for contraband. I placed and secured the Safety Smock onto THOMAS and he was escorted out of the building. Once THOMAS was removed from the scene I had a medical evaluation performed and documented on a CDCR Form 7219. Once cleared by medical, I took 3 evidentiary photographs of Officer Elizarraras's injury. The three photos depict the following.

Photo 001: Full Body shot of Officer S. Elizarraras.

Photo 002: Above the chest shot.

Photo 003: Close up of the head shot.

I burned the three digital photographs onto a compact disc, secured it into an evidence envelope and secured it into evidence locker number 8. This concludes my involvement in this incident.

J. Avila

STAFF SIGNATURE

DATE: 07/18/2021

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes

REVIEWED BY STAFF: Baker, Di

REVIEWED DATE: 07/18/2021

REVIEWED TIME: 22:16:32

STAFF NARRATIVE

STAFF NAME: Harrington, D  
CREATED DATE: 07/18/2021

NARRATIVE TYPE: Initial Report  
CREATED TIME: 21:24:25

NARRATIVE

On Sunday July 18, 2021, while performing my duties as B2 floor 2 at approximately 1700 hours I was assisting with cell searches in Facility B Building 1, (FB1) A section. I was standing in front of cell FB1-205 when I heard a commotion in front of cell 203. I responded to cell 203 and witnessed inmate THOMAS (AZ2563,FB1-203) (later identified via strategic offender management system) on the ground actively resisting thrashing his body and kicking his legs. Multiple officers gave direct orders to stop resisting but due to my vantage point and officers backs facing towards me I am unable to identify who gave the direct order. Due to sufficient staff, I immediately went and retrieved leg restraints. When I returned, THOMAS was no longer actively resisting and I secured leg restraints on THOMAS. Officer E.Esquerre and E.Cervantes escorted him out of FB1 A section. This concludes my involvement with this incident.

D. Harrington  
STAFF SIGNATURE

DATE: 07/18/2021

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/18/2021

REVIEWED BY STAFF: Baker, D  
REVIEWED TIME: 22:19:36

STAFF NAME: Harrington, D  
CREATED DATE: 07/24/2021

NARRATIVE TYPE: Supplemental Report  
CREATED TIME: 14:39:24

NARRATIVE

Due to my vantage point and officers backs facing towards me I am unable to specifically identify any exact techniques any officers used.

D. Harrington  
STAFF SIGNATURE

DATE: 07/24/2021

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/24/2021

REVIEWED BY STAFF: Pierce, C  
REVIEWED TIME: 18:37:45



STAFF NARRATIVE

STAFF NAME: Chavez, D  
CREATED DATE: 07/18/2021

NARRATIVE TYPE: Initial Report  
CREATED TIME: 21:42:45

NARRATIVE

On Sunday, July 18th, 2021 at approximately 1700 hours, while performing my duties as FB3 FLR 1, I was assisting B Facility staff in conducting cell searches. I heard commotion in front of cell 203. I observed THOMAS (CDC#AZ2563, FB1-203L) on the ground in a prone position in front of cell 203 thrashing his upper torso in a side to side motion. It should be noted that while responding to the front of cell 203, I heard multiple unidentified officers giving numerous direct orders to THOMAS to stop resisting. THOMAS did not comply with these orders and continued to resist by thrashing in a side to side motion with his upper torso. I gave THOMAS a direct order to stop resisting, to which he did not comply. In order to gain compliance with a lawful order and to overcome resistance, I used immediate force by applying the minimal amount of downward pressure to get THOMAS to stop resisting. Specifically, I placed my right hand on the right side of THOMAS' head, and my left hand on THOMAS' right shoulder blade and applied the minimal amount of downward pressure required. I gave THOMAS a direct order to stop resisting, to which he did not comply. I observed THOMAS swinging his head in an attempt strike staff. I gave THOMAS another direct order to stop resisting to which he did not comply. Once mechanical restraints were placed on THOMAS, multiple staff, as well as myself, gave THOMAS another direct order to stop resisting, to which he complied. I immediately stopped applying downward pressure, but maintained the same hand position and gave THOMAS a direct order to maintain his current position, to which he complied. I was then relieved by an unidentified officer so I could continue to perform my duties.

D. Chavez  
STAFF SIGNATURE

DATE: 07/18/2021

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/18/2021

REVIEWED BY STAFF: Baker, D  
REVIEWED TIME: 22:18:07

STAFF NAME: Chavez, D  
CREATED DATE: 07/23/2021

NARRATIVE TYPE: Supplemental Report  
CREATED TIME: 04:34:14

NARRATIVE

It should be noted that due to my focus on responding to the incident, and later on, my focus on my personal hand placement, I was not able to see which officers used force, the type of force used, or any specific hand placements other than my own used on inmate THOMAS.

D. Chavez  
STAFF SIGNATURE

DATE: 07/23/2021

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/23/2021

REVIEWED BY STAFF: Pierce, CI  
REVIEWED TIME: 06:56:02

STAFF NARRATIVE

STAFF NAME: Cervantes, E  
CREATED DATE: 07/18/2021

NARRATIVE TYPE: Initial Report  
CREATED TIME: 19:57:53

NARRATIVE

On Sunday, July 18, 2021, at approximately 1700 hours while performing my duties as B4 Floor Officer #2 I responded to a code 1 alarm in B1 building. Specifically, I heard over the institutional radio that there was a resistive inmate in B1, and a code 1 response was requested. Upon my arrival, I was instructed by the response supervisor to relieve an Officer who was involved in the incident, and prepare the inmate for escort. The inmate involved was later identified via his state identification card as inmate THOMAS CDC# (AZ2563 B1-203L). Once I reached the incident location, I observed several code 1 responding staff standing on the upper tier while holding inmate THOMAS in a standing position facing away from me. It should be noted that the staff who were securing inmate THOMAS were not using force, and inmate THOMAS was not resistive at the time of my arrival. Due to my position and the responding staff facing away from me, I was unable to identify which staff were involved in the incident initially, and I could not identify who I relieved. I secured inmate THOMAS' right arm, while Officer E. Esquerra secured THOMAS' left arm, then we preceded to escort inmate THOMAS to building 56 in order for medical staff to conduct a CDCR 7219. Once inside building 56, a medical observation team arrived, and relieved Officer Esquerra and I without further incident. This concludes my involvement in the incident.

E. Cervantes  
STAFF SIGNATURE

DATE: 07/18/2021

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/18/2021

REVIEWED BY STAFF: Baker, D  
REVIEWED TIME: 22:15:59

STAFF NAME: Esquerra, E  
CREATED DATE: 07/18/2021

NARRATIVE TYPE: Initial Report  
CREATED TIME: 22:07:50

NARRATIVE

On July 18, 2021 at approximately 1700 hours, while performing my duties as FB-2 FLR 1 Officer, I heard a call on the institutional radio for a Code 1 response for a resistive inmate in FB-1. I entered FB-1 A Section and witnessed several officers surrounding Inmate THOMAS (AZ2563) (FB-1-203L) in front of FB-1 Cell 203, identified via SOMS. Sgt. Baker instructed me to escort THOMAS to Treatment and Triage Area Bldg 56 (TTA). Thomas was restrained and standing against the wall. I relieved Officer Avila and took control of THOMAS' left forearm. Officer Avila performed an unclothed body search and placed THOMAS in a safety smock. I maintained control of THOMAS' left forearm, Officer Cervantes maintained control of his right forearm, and I ordered THOMAS to walk down the stairs and to the rotunda. THOMAS was medically evaluated by medical staff and it was requested THOMAS be escorted to Bldg 56 (TTA) for further evaluation. Officer Cervantes and I escorted THOMAS to Bldg 56 (TTA). A Form 7219 was completed by medical staff. At approximately 1830 hours Officer Cervantes and I were relieved by Officer Saeteurn and Officer Lewis for medical observation purposes. This concludes my involvement in this incident. PRNR 112716

E. Esquerra  
STAFF SIGNATURE

DATE: 07/18/2021

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/18/2021

REVIEWED BY STAFF: Baker, D  
REVIEWED TIME: 22:17:11

STAFF NARRATIVE

STAFF NAME: Draven, D  
CREATED DATE: 07/18/2021

NARRATIVE TYPE: Initial Report  
CREATED TIME: 22:51:58

NARRATIVE

On Sunday July 18th 2021 at approximately 1700 hours while performing my duties as a B1 floor Officer. I was in A section on the upper tier assisting with cell searches. I was alerted to an audible scuffle. I responded without delay. I arrived at the cell front of cell 203. I observed Officer S. Elizarraras on the left side of inmate later identified by his state identification card as THOMAS (AZ2563/B1-203) while Officer J. Avila was on the right side of THOMAS. THOMAS was actively resisting by thrashing his body in a violent motion side to side. THOMAS was not complying with direct orders from myself and Officer Elizarraras to stop resisting. THOMAS presented an imminent threat by actively evading custody by tucking his arms under his stomach and attempting to use his head as blunt object in order strike staff. In order to overcome resistance, effect custody, and gain compliance with a lawful order, I initiated immediate action by taking firm hold of THOMAS' left arm by his wrist using both my hands. Utilizing physical strength I placed his hand behind his back. Officer Elizarraras assisted me in putting THOMAS' left hand behind his back. Officer Elizarraras had a hold of THOMAS' upper arm with both his hands. Due to my vantage point and focus on THOMAS, I was unable to observe if Officer Avila or responding Officers utilized any force. After THOMAS' left arm was placed behind his back, Officer Avila secured THOMAS in handcuffs. Responding staff arrived at this time. I was relieved by responding staff. I removed myself from the immediate area. This concludes my involvement in this incident.

D. Draven

DATE: 07/18/2021

STAFF SIGNATURE

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/18/2021

REVIEWED BY STAFF: Baker, D  
REVIEWED TIME: 23:04:59

STAFF NAME: Ficker, Br  
CREATED DATE: 07/18/2021

NARRATIVE TYPE: Initial Report  
CREATED TIME: 21:34:16

NARRATIVE

On July 18, 2021, at approximately 1700 hours, while assigned as B1 Control Officer, I was providing gun coverage for officers in A-Section conducting cell searches. Officer S. Elizarraras gave the hand motion to open cell 203, solely occupied by Inmate THOMAS (AZ2563). Once the cell door was opened, I observed erratic movement as Inmate THOMAS was being escorted out of the cell. Due to my position and the amount of officers in front of the cell door, I could not decipher what exactly the erratic movement was. I observed physical force being utilized by Officer S. Elizarraras and J. Avila, forcing THOMAS to the ground. Due to my distance, I was unable to detect hand placement and techniques utilized by Officer S. Elizarraras and J. Avila. Due to the amount of responding staff on the tier I was unable to see if any other force was utilized or could I see if THOMAS was resisting against staff due to the amount of officers present and blocking my view. A code one response was requested on the institutional radio and I activated my personal alarm device. This concludes my involvement at this time.

B. Ficker

DATE: 07/18/2021

STAFF SIGNATURE

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/18/2021

REVIEWED BY STAFF: Baker, D  
REVIEWED TIME: 22:16:46

STAFF NARRATIVE

STAFF NAME: Baker, D  
CREATED DATE: 07/18/2021

NARRATIVE TYPE: Initial Report  
CREATED TIME: 23:11:30

NARRATIVE

On Sunday July 18th, 2021, at approximately 1700 hours, while performing my duties as B PROGRAM SGT 2, I was in Facility B- Building 1 (FB1) A-Section, preparing to conduct 3 cell searches for inmates that self-declared they were on a hunger strike. I approached cell FB1-206 solely occupied by Inmate WYNN (AB5742) to confirm his self-declared hunger strike and to inform him that he will need to exit his cell for a cell search, WYNN complied. Simultaneously, I heard a commotion on the tier and observed multiple officers attempting to secure, what appeared to be a resistive inmate. Later identified via Strategic Offender Management System (SOMS) as Inmate THOMAS (AZ2563, FB1-203L). I heard multiple orders given to THOMAS to stop resisting. I immediately called a Code 1 via institutional radio for a resistive inmate in FB1-A Section. Due to my positioning and multiple Officer's backs towards me, I did not observe who utilized force. However, I did observe THOMAS kicking his feet and heard Officers continuing to give a direct order to stop resisting. After a visual confirmation that sufficient staff was on scene, I retreated to the FB1 rotunda to direct responding staff and to confirm leg restraints were being retrieved. I returned to A-Section and instructed Officer E. Cervantes and E. Esquerra to relieve all involved Officers and escort THOMAS to the rotunda for a medical evaluation. Medical staff requested THOMAS be escorted to Building 56- Treatment and Triage Area (TTA) for further medical evaluation. It was later confirmed that once the cell door to 203 was opened, Officer Elizarraras was a victim of a battery when THOMAS struck him in the facial area with his head.

This concludes my involvement in the incident.

D. Baker

STAFF SIGNATURE

DATE: 07/18/2021

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/18/2021

REVIEWED BY STAFF: Pierce, C  
REVIEWED TIME: 23:21:14

STAFF NAME: Valdez, S  
CREATED DATE: 07/19/2021

NARRATIVE TYPE: Initial Report  
CREATED TIME: 18:28:32

NARRATIVE

On Sunday, July 18, 2021, I was assigned to be the video camera operator in a Use of Force interview with inmate THOMAS (AZ-2563). I recorded the interview and at the conclusion of the interview I downloaded the interview onto two (2) CD-R Discs and placed one (1) disc into evidence locker #8 in B Facility Control. The other disc accompanied the incident package.

S. Valdez

STAFF SIGNATURE

DATE: 07/19/2021

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes  
REVIEWED DATE: 07/19/2021

REVIEWED BY STAFF: Baker, D  
REVIEWED TIME: 18:36:26

STAFF NARRATIVE

STAFF NAME: Pierce, Cl  
CREATED DATE: 07/18/2021

NARRATIVE TYPE: Initial Report  
CREATED TIME: 20:06:58

NARRATIVE

On Sunday July 18, 2021, at approximately 1700 hours, inmate THOMAS (AA3733/FB1-202L) was in violation of California Code of Regulations, Title 15, section 3005(d)(1), Battery on a Peace Officer resulting in the UOF (Physical).

Specifically, THOMAS was exiting his assigned cell for a cell search to be completed, due to THOMAS being a participation in a hunger strike. Once removed THOMAS turned towards Officer S. Elizarraras and head butted him striking Officer Elizarraras in the facial area. To subdue the attack on Officer Elizarraras, THOMAS was forced to the ground. Once on the ground THOMAS continued his violent actions and kicked Officer J. Avila in his right shin. After THOMAS kicked Officer Avila, he continued his resistive behavior until the responding Officers were able to utilize the minimal reliance of physical force to overcome THOMAS's resistance and subdue his attack.

Officer J. Avila took a total of three (3) photographs of Officer S. Elizarraras. Officer Avila downloaded the pictures onto a compact disc (CD) and processed the photographs into B Facility Evidence Locker #8.

A CDCR 7219 Medical Report of Injury was conducted both Officer J. Avila and Officer S. Elizarraras noting the injuries they received during the incident.

A CDCR 7219 Medical Report of Injury was conducted on THOMAS noting the injuries he received during the incident.

It should be noted during the medical evaluation THOMAS made an allegation of excessive force. A Use of force video was conducted shortly after the allegation was made. Furthermore, during the use of force video THOMAS made a PREA allegation against responding staff. ISU Sergeant A. Huynh was notified for further investigation. In addition, OIG notification was made by Lt. S. Arana at approximately 2046 hours on the day of the incident. OIG Special Agent Woodrow was contacted telephonically and was made aware of the allegations made by THOMAS.

Due to THOMAS' participation in the Mental Health Services Delivery System at the Enhanced Out Patient (EOP) level of care, mental health referrals (CDCR 128-MHS) was completed.

A Rules Violation Report was generated charging THOMAS in violation of the California Code of Regulations (CCR), Title 15, Section 3005(d)(1), for the specific act of Battery on a Peace Officer. Which if found guilty he could possibly be assessed with a Security Housing Unit (SHU) Term.

All appropriate Administrative Staff including the Sacramento County District Attorney's Office will be notified of this incident by the submission of this report.

C. Pierce

DATE: 07/24/2021

STAFF SIGNATURE

BADGE #:

PERNR:

NARRATIVE REVIEWED: Yes

REVIEWED BY STAFF: Baker, Dr

REVIEWED DATE: 07/24/2021

REVIEWED TIME: 19:46:12

**CDCR**  
**REPORT NO. ITR161 - 12**

**INCIDENT REPORT PACKAGE**  
**INCIDENT LOG NUMBER: 00000000025226**

**PAGE: 18**  
**PROCESSED: 07/30/2021 12:01**  
**REQUESTOR: A. Huynh**

STG AFFILIATIONS			
STG NAME		STG SET	STG SUBSET
II - BLOOD		N/A	

CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 17  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

OFFENDER INVOLVED

<b>CDC #:</b> AZ2563	<b>OFFENDER NAME:</b> Thomas, F
<b>MENTAL HEALTH CODE:</b> EOP - Enhanced Outpatient Program	<b>DDP CODE:</b> NCF
<b>DPPV CODE:</b> None	<b>GENDER:</b> Male
<b>RACE:</b> Black	<b>ETHNICITY:</b> Black
<b>CONTROL DATE:</b> 09/22/2033	<b>TYPE:</b> EPRD
<b>INVOLVEMENT TYPE:</b> Suspect	<b>RVR LOG #:</b> 000000007104821
<b>VIOLENCE TYPE:</b> Battery	
<b>EXTRACTION:</b> Not Applicable	

<b>SECURITY LEVEL:</b> Level 4	<b>PLACEMENT SCORE:</b> 328
<b>HOUSING PROGRAM:</b> Varied Use	<b>CUSTODY CLASSIFICATION:</b> Medium (A)

<b>CONTROLLED WEAPONS</b>
Head
Feet

<b>REPORTABLE INJURY</b>	<b>INJURY LOCATION</b>	<b>SBI TYPE</b>
Minor	Head	

<b>DESCRIPTION OF INJURY</b>	
Bruise, Reddened area and pain to face Reddened area to left upper back Cut laceration and Reddened area to left wrist.	
<b>TREATMENT:</b> Treated and Released	<b>LOCATION CARE PROVIDED:</b> Institution Facility

<b>REPORTABLE DEATH:</b> Not Applicable	<b>MANNER OF DEATH:</b>
<b>DATE OF DEATH:</b>	

<b>VIDEO INTERVIEW:</b> Not Applicable	<b>VIDEO INTERVIEW W/ 48 HOURS:</b> Not Applicable
<b>VIDEO FOLLOWED POLICY:</b> Not Applicable	

<b>ARRESTED NEW/PENDING</b>	<b>ARREST</b>
<b>CHARGES:</b> Not Applicable	
<b>ARRESTING AGENCY:</b>	
<b>REPORT NUMBER:</b>	
<b>BOOKING NUMBER:</b>	
<b>CUSTODY LOCATION:</b>	
<b>OFFENSE TITLE/CODE:</b>	

CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 16  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Ware, Ji  
TITLE: Sergeant  
STAFF TYPE: Peace Officer

POST DESCRIPTION: 330361 B PROGRAM SGT 1  
CELL FRONT USE OF FORCE: Not Applicable

INVOLVEMENT TYPE

Responder  
Force Used  
Force Observed

TYPE OF FORCE USED BY  
REPORTING STAFF

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Physical Strengths and Holds

1

Effective

REPORTABLE INJURY

INJURY LOCATION

SBI TYPE

Not Applicable

DESCRIPTION OF INJURY

NONE

TREATMENT:

LOCATION CARE PROVIDED: Not Applicable

REPORTABLE DEATH: Not Applicable

MANNER OF DEATH:

DATE OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable  
VEHICLE TYPE: Not Applicable  
MAKE:  
COLOR:

PLATE #:  
VEHICLE YEAR:  
MODEL:



CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 15  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Elizarraras, Sc  
TITLE: Correctional Officer  
STAFF TYPE: Peace Officer

POST DESCRIPTION: 332011 - B SEC PAT 1  
CELL FRONT USE OF FORCE: Cell Front

INVOLVEMENT TYPE

Primary  
Victim  
Force Used  
Force Observed

TYPE OF FORCE USED BY  
REPORTING STAFF

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Physical Strengths and Holds

1

Effective

REPORTABLE INJURY

INJURY LOCATION

SBI TYPE

Minor

Head

DESCRIPTION OF INJURY

11,14- Pain and reddened area the right side of facial area. (Cheek)

TREATMENT: Treated and Released

LOCATION CARE PROVIDED: Institution Facility

REPORTABLE DEATH: Not Applicable

MANNER OF DEATH:

DATE OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable

PLATE #:

VEHICLE TYPE: Not Applicable

VEHICLE YEAR:

MAKE:

MODEL:

COLOR:

CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 14  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Avila, Jc  
TITLE: Correctional Officer  
STAFF TYPE: Peace Officer

POST DESCRIPTION: 332012 RO331 B SEC PAT 2  
CELL FRONT USE OF FORCE: Cell Front

INVOLVEMENT TYPE

Primary  
Force Used  
Victim  
Camera  
Evidence

TYPE OF FORCE USED BY  
REPORTING STAFF

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Physical Strengths and Holds

1

Effective

REPORTABLE INJURY

INJURY LOCATION

SBI TYPE

Minor

Legs/Feet

DESCRIPTION OF INJURY

shin

TREATMENT: Treated at Scene

LOCATION CARE PROVIDED: Not Applicable

REPORTABLE DEATH: Not Applicable

MANNER OF DEATH:

DATE OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable

PLATE #:

VEHICLE TYPE: Not Applicable

VEHICLE YEAR:

MAKE:

MODEL:

COLOR:

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Harrington, Dz  
TITLE: Correctional Officer  
STAFF TYPE: Peace Officer

POST DESCRIPTION: 331022 B2 FLR 2  
CELL FRONT USE OF FORCE: Not Applicable

INVOLVEMENT TYPE

Responder

TYPE OF FORCE USED BY  
REPORTING STAFF

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Not Applicable

Not Applicable

REPORTABLE INJURY

INJURY LOCATION

SBI TYPE

Not Applicable

DESCRIPTION OF INJURY

NONE

TREATMENT:

LOCATION CARE PROVIDED: Not Applicable

REPORTABLE DEATH: Not Applicable

MANNER OF DEATH:

DATE OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable  
VEHICLE TYPE: Not Applicable  
MAKE:  
COLOR:

PLATE #:  
VEHICLE YEAR:  
MODEL:

CDCR  
REPORT NO. IRTR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 000000000025226

PAGE: 12  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Chavez, Dy  
TITLE: Correctional Officer  
STAFF TYPE: Peace Officer

POST DESCRIPTION: 331031 B 3 FLR 1  
CELL FRONT USE OF FORCE: Not Applicable

INVOLVEMENT TYPE

Responder  
Force Used

TYPE OF FORCE USED BY  
REPORTING STAFF

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Physical Strengths and Holds

1

Effective

REPORTABLE INJURY

INJURY LOCATION

SBI TYPE

Not Applicable

DESCRIPTION OF INJURY

NONE

TREATMENT:

LOCATION CARE PROVIDED: Not Applicable

REPORTABLE DEATH: Not Applicable  
DATE OF DEATH:

MANNER OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable  
VEHICLE TYPE: Not Applicable  
MAKE:  
COLOR:

PLATE #:  
VEHICLE YEAR:  
MODEL:

CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 11  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

**STAFF INVOLVED**

**ASSIGNED INSTITUTION/PAROLE REGION:** SAC - California State Prison, Sacramento  
**ASSIGNED FACILITY/PAROLE UNIT:** SAC-B - SAC-Facility B

**STAFF NAME:** Esquerra, I  
**TITLE:** Correctional Officer  
**STAFF TYPE:** Peace Officer

**POST DESCRIPTION:** 331021 B 2 FLR 1  
**CELL FRONT USE OF FORCE:** Not Applicable

**INVOLVEMENT TYPE**

Responder  
Escort

**TYPE OF FORCE USED BY  
REPORTING STAFF**

**NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES**

**REPORTABLE USE OF  
FORCE RESULT**

Not Applicable

Not Applicable

**REPORTABLE INJURY**

**INJURY LOCATION**

**SBI TYPE**

Not Applicable

**DESCRIPTION OF INJURY**

NONE

**TREATMENT:**

**LOCATION CARE PROVIDED:** Not Applicable

**REPORTABLE DEATH:** Not Applicable

**MANNER OF DEATH:**

**DATE OF DEATH:**

**STAFF VEHICLE INVOLVED**

**STAFF VEHICLE INVOLVED:** Not Applicable

**PLATE #:**

**VEHICLE TYPE:** Not Applicable

**VEHICLE YEAR:**

**MAKE:**

**MODEL:**

**COLOR:**

CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 10  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Cervantes, E  
TITLE: Correctional Officer  
STAFF TYPE: Peace Officer

POST DESCRIPTION: 331042 B4 FLR 2  
CELL FRONT USE OF FORCE: Not Applicable

INVOLVEMENT TYPE

Responder  
Escort

TYPE OF FORCE USED BY  
REPORTING STAFF

Not Applicable

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Not Applicable

REPORTABLE INJURY

Not Applicable

INJURY LOCATION

SBI TYPE

DESCRIPTION OF INJURY

NONE

TREATMENT:

LOCATION CARE PROVIDED: Not Applicable

REPORTABLE DEATH: Not Applicable  
DATE OF DEATH:

MANNER OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable  
VEHICLE TYPE: Not Applicable  
MAKE:  
COLOR:

PLATE #:  
VEHICLE YEAR:  
MODEL:

CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 9  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Ficker, Bi  
TITLE: Correctional Officer  
STAFF TYPE: Peace Officer

POST DESCRIPTION: 331010 B 1 CNTRL  
CELL FRONT USE OF FORCE: Not Applicable

INVOLVEMENT TYPE

Witness  
Force Observed

TYPE OF FORCE USED BY  
REPORTING STAFF

Not Applicable

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Not Applicable

REPORTABLE INJURY

Not Applicable

INJURY LOCATION

SBI TYPE

DESCRIPTION OF INJURY

NONE

TREATMENT:

LOCATION CARE PROVIDED: Not Applicable

REPORTABLE DEATH: Not Applicable  
DATE OF DEATH:

MANNER OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable  
VEHICLE TYPE: Not Applicable  
MAKE:  
COLOR:

PLATE #:  
VEHICLE YEAR:  
MODEL:

CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 8  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Uchegbu, D  
TITLE: Psych Tech  
STAFF TYPE: Health Care Staff

POST DESCRIPTION: Medical Observer-62088  
CELL FRONT USE OF FORCE: Not Applicable

INVOLVEMENT TYPE

Medical Assessment

TYPE OF FORCE USED BY  
REPORTING STAFF

Not Applicable

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Not Applicable

REPORTABLE INJURY

Not Applicable

INJURY LOCATION

SBI TYPE

DESCRIPTION OF INJURY

NONE

TREATMENT:

LOCATION CARE PROVIDED:

REPORTABLE DEATH: Not Applicable  
DATE OF DEATH:

MANNER OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable  
VEHICLE TYPE: Not Applicable  
MAKE:  
COLOR:

PLATE #:  
VEHICLE YEAR:  
MODEL:



CDCR  
REPORT NO. IRTR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 7  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Lopez, E  
TITLE: Psych Tech  
STAFF TYPE: Health Care Staff

POST DESCRIPTION: Medical Observer-11101224  
CELL FRONT USE OF FORCE: Not Applicable

INVOLVEMENT TYPE

Medical Assessment

TYPE OF FORCE USED BY  
REPORTING STAFF

Not Applicable

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Not Applicable

REPORTABLE INJURY

Not Applicable

INJURY LOCATION

SBI TYPE

DESCRIPTION OF INJURY

NONE

TREATMENT:

LOCATION CARE PROVIDED:

REPORTABLE DEATH: Not Applicable  
DATE OF DEATH:

MANNER OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable  
VEHICLE TYPE: Not Applicable  
MAKE:  
COLOR:

PLATE #:  
VEHICLE YEAR:  
MODEL:

CDCR  
REPORT NO. IRT161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 6  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Draven, D  
TITLE: Correctional Officer  
STAFF TYPE: Peace Officer

POST DESCRIPTION: 331011 B 1 FLR 1  
CELL FRONT USE OF FORCE: Cell Front

INVOLVEMENT TYPE

Responder  
Force Used  
Force Observed

TYPE OF FORCE USED BY  
REPORTING STAFF

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Physical Strengths and Holds

1

Effective

REPORTABLE INJURY

INJURY LOCATION

SBI TYPE

Not Applicable

DESCRIPTION OF INJURY

NONE

TREATMENT:

LOCATION CARE PROVIDED: Not Applicable

REPORTABLE DEATH: Not Applicable

MANNER OF DEATH:

DATE OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable

PLATE #:

VEHICLE TYPE: Not Applicable

VEHICLE YEAR:

MAKE:

MODEL:

COLOR:

CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 000000000025226

PAGE: 5  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

**STAFF INVOLVED**

**ASSIGNED INSTITUTION/PAROLE REGION:** SAC - California State Prison, Sacramento  
**ASSIGNED FACILITY/PAROLE UNIT:** SAC-B - SAC-Facility B

**STAFF NAME:** Caruso, W  
**TITLE:** Sergeant  
**STAFF TYPE:** Peace Officer

**POST DESCRIPTION:** NONE  
**CELL FRONT USE OF FORCE:** Not Applicable

**INVOLVEMENT TYPE**

Use of Force Video Interviewer

**TYPE OF FORCE USED BY  
REPORTING STAFF**

**NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES**

**REPORTABLE USE OF  
FORCE RESULT**

Not Applicable

Not Applicable

**REPORTABLE INJURY**

**INJURY LOCATION**

**SBI TYPE**

Not Applicable

**DESCRIPTION OF INJURY**

NONE

**TREATMENT:**

**LOCATION CARE PROVIDED:** Not Applicable

**REPORTABLE DEATH:** Not Applicable  
**DATE OF DEATH:**

**MANNER OF DEATH:**

**STAFF VEHICLE INVOLVED**

**STAFF VEHICLE INVOLVED:** Not Applicable  
**VEHICLE TYPE:** Not Applicable  
**MAKE:**  
**COLOR:**

**PLATE #:**  
**VEHICLE YEAR:**  
**MODEL:**

CDCR  
REPORT NO. IRT161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 4  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento	STAFF NAME: Valdez, S
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B	TITLE: Sergeant
	STAFF TYPE: Peace Officer

POST DESCRIPTION: 380370 HCA CHS ADMIN SGT
CELL FRONT USE OF FORCE: Not Applicable

INVOLVEMENT TYPE
Use of Force Video Camera Operator

TYPE OF FORCE USED BY REPORTING STAFF	NUMBER OF SHOTS FIRED/DEPLOYMENTS/STRIKES	REPORTABLE USE OF FORCE RESULT
Not Applicable		

REPORTABLE INJURY	INJURY LOCATION	SBI TYPE
Not Applicable		

DESCRIPTION OF INJURY
NONE
TREATMENT:
LOCATION CARE PROVIDED: Not Applicable

REPORTABLE DEATH: Not Applicable	MANNER OF DEATH:
DATE OF DEATH:	

STAFF VEHICLE INVOLVED	
STAFF VEHICLE INVOLVED: Not Applicable	PLATE #:
VEHICLE TYPE: Not Applicable	VEHICLE YEAR:
MAKE:	MODEL:
COLOR:	

CDCR  
REPORT NO. ITR161 - 12

INCIDENT REPORT PACKAGE  
INCIDENT LOG NUMBER: 00000000025226

PAGE: 3  
PROCESSED: 07/30/2021 12:01  
REQUESTOR: A. Huynh

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Baker, D  
TITLE: Sergeant  
STAFF TYPE: Peace Officer

POST DESCRIPTION: 330364 B PROGRAM SGT 2  
CELL FRONT USE OF FORCE: Not Applicable

INVOLVEMENT TYPE

Response Supervisor  
Force Observed

TYPE OF FORCE USED BY  
REPORTING STAFF

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Not Applicable

REPORTABLE INJURY

INJURY LOCATION

SBI TYPE

Not Applicable

DESCRIPTION OF INJURY

NONE

TREATMENT:

LOCATION CARE PROVIDED: Not Applicable

REPORTABLE DEATH: Not Applicable

MANNER OF DEATH:

DATE OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable

PLATE #:

VEHICLE TYPE: Not Applicable

VEHICLE YEAR:

MAKE:

MODEL:

COLOR:

STAFF INVOLVED

ASSIGNED INSTITUTION/PAROLE REGION: SAC - California State Prison, Sacramento  
ASSIGNED FACILITY/PAROLE UNIT: SAC-B - SAC-Facility B

STAFF NAME: Pierce, C  
TITLE: Lieutenant  
STAFF TYPE: Peace Officer

POST DESCRIPTION: 330111 B PROGRAM LT  
CELL FRONT USE OF FORCE: Not Applicable

INVOLVEMENT TYPE

Incident Commander

TYPE OF FORCE USED BY  
REPORTING STAFF

NUMBER OF SHOTS  
FIRED/DEPLOYMENTS/STRIKES

REPORTABLE USE OF  
FORCE RESULT

Not Applicable

REPORTABLE INJURY

INJURY LOCATION

SBI TYPE

Not Applicable

DESCRIPTION OF INJURY

NONE

TREATMENT:

LOCATION CARE PROVIDED: Not Applicable

REPORTABLE DEATH: Not Applicable  
DATE OF DEATH:

MANNER OF DEATH:

STAFF VEHICLE INVOLVED

STAFF VEHICLE INVOLVED: Not Applicable  
VEHICLE TYPE: Not Applicable  
MAKE:  
COLOR:

PLATE #:  
VEHICLE YEAR:  
MODEL:

INCIDENT REPORT SUMMARY

<b>INSTITUTION/PAROLE REGION:</b> SAC - California State Prison, Sacramento	
<b>REPORTING FACILITY/PAROLE UNIT:</b> SAC-B - SAC-Facility B	
<b>INCIDENT DATE:</b> 07/18/2021	<b>INCIDENT TIME:</b> 17:00:00
<b>DISCOVERY DATE:</b> 07/18/2021	<b>DISCOVERY TIME:</b> 17:00:00
<b>WATCH:</b> 3rd Watch	

<b>STATUS:</b> Executive Level Review	<b>AS OF DATE:</b> 07/28/2021
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<b>CRISIS RESPONSE TEAM ACTIVATED:</b> No	<b>DA REFERRAL ELIGIBLE:</b> Yes
<b>AREA/LOCATION:</b> CELL	<b>HOUSING PROGRAM ASSIGNMENT:</b> Enhanced Out Patient
<b>ASU YARD TYPE:</b> Not Applicable	
<b>VIDEO SURVEILLANCE OF INCIDENT:</b> Not Applicable	

<b>INCIDENT CATEGORY</b>	<b>INCIDENT TYPE</b>
Use of Force	Immediate
Force and Violence	Not Applicable

<b>SYNOPSIS</b>
On Sunday July, 18, 2021 at approximately 1700 hours, Inmate THOMAS (AZ2563/FB1-203L) was in violation of California Code of Regulations, Title 15, section 3005(d)(1), Battery on a Peace Officer (headbutt and kicking), resulting in the use of force (Physical).

<b>IMMEDIATE NOTIFICATIONS</b>
NONE

<b>DOJ REPORTABLE:</b> Not Applicable	
<b>HIGH PROFILE INCIDENT:</b> No	<b>NAME OF ASSISTING LEA:</b>
<b>MUTUAL-AID/LEA:</b> Not Applicable	
<b>MAJOR MEDIA ATTENTION:</b> No	<b>NAME OF MEDIA:</b>

<b>INCIDENT STG NEXUS:</b> No			
<b>STG NAME</b>	<b>STG SET</b>	<b>STG SUBSET</b>	
NONE			

<b>STG NOT LISTED</b>
NONE

<b>UNCONTROLLED WEAPONS</b>	<b>QUANTITY</b>
Not Applicable	

<b>CONTROLLED SUBSTANCES</b>	<b>QUANTITY</b>	<b>QUANTITY TYPE</b>
Not Applicable	0	

# PROOF OF SERVICE

(C.C.P. §§1013(a); 2015.5; 28 U.S.C. §1746)

I, PAUL THOMAS, am over the age of eighteen (18) years, and I (am) (am not) a party to the within cause of action. My address is:

CALIFORNIA STATE SACRAMENTO  
P.O. BOX 298001  
REPRESA, CA 95671

On, 05 / 10 / 2023, I served the following documents:

- (1.) INCIDENT PACKAGE pg# 1-33
- (2.) PROOF OF SERVICE
- (3.) PLAINTIFFS SUPPLEMENTAL RESPONSES TO DEFENDANTS DISCOVERY REQUEST

on the below named individual(s) by depositing true and correct copies thereof in the United State mail in Represa, California, with postage fully prepaid thereon, addressed as follows:

1. united states Courts office  
of the clerk, united states Dist  
Eastern District of California 501  
I St., STE 4-200 SACRAMENTO  
CALIFORNIA 95814-2322

2. DEPARTMENT OF JUSTICE  
1300 I street Suite 125  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550

I have read the above statements and declare under the penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Executed this 10<sup>th</sup> day of May, 2023, at California State Prison - Sacramento, Represa, California.

(Signature)

